

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

JOSEPH D. MARCY,	:
	:
Petitioner,	: 3:17-cv-00411
	: (JUDGE MARIANI)
	: (Magistrate Judge Arbuckle)
v.	:
	:
WARDEN, SCI GRATERFORD, et al.	:
	:
Respondents.	:

ORDER

AND NOW, THIS 17th DAY OF APRIL 2020, for the reasons set forth in this Court's accompanying memorandum opinion, upon *de novo* review of Magistrate Judge Arbuckle's Report and Recommendation (Doc. 22), the Commonwealth of Pennsylvania's Objections (Doc. 23), the Petitioner Joseph D. Marcy's Petition for a Writ of Habeas Corpus pursuant to U.S.C. 28 § 2254 (Doc. 1), and all other relevant documents, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (Doc. 22) is **NOT ADOPTED** for the reasons set forth in this Court's memorandum opinion.
2. Respondents' Objections are **SUSTAINED** to the extent consistent with this Court's memorandum opinion.
3. The Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2245 (Doc. 1) is **DISMISSED**.

4. A Certificate of Appealability **SHALL NOT ISSUE**.
5. Petitioner's Motion to Grant Habeas Bail (Doc. 25) is **DENIED** as moot.
6. Petitioner's Motions to Amend Habeas Findings (Docs. 26, 27) are **DENIED** as moot.
7. The Clerk of Court is directed to **CLOSE** the above-captioned action.

s/ Robert D. Mariani  
Robert D. Mariani  
United States District Judge